

REQUIRED SOS LICENSING ACTION AUTHORITY (MCL 257 . . .) - Page 1

Revoked/Denied ' 303	Mandatory Suspension ' 319
<p>(1) SOS shall not issue license to:</p> <p>(a) & (b) persons less than 18 years of age, except as otherwise provided.</p> <p>(c) a driver whose license is suspended</p> <p>(d) a person convicted under '625(4) or (5), '904 (4) or (5) or '653a(4)</p> <p>(e) a person convicted of Neg Hom, Manslaughter, Murder resulting from operation of motor vehicle</p> <p>(f) habitual alcohol violator</p> <p>(g) mental/physical disability or disease-no reasonable/ordinary control</p> <p>(h) no understanding of English highway signs</p> <p>(I) habitual reckless</p> <p>(j) habitual criminal</p> <p>(k) unable to pass knowledge/skill test</p> <p>(l) 2 convictions 3 years prior to application</p> <p>(m) a non-resident</p> <p>(n) a person who would be suspended under '321a</p> <p>(o) a person who would be suspended under '319, 324, or 904</p> <p>(p) a person who would be suspended under '319e</p> <p>(q) a person who would be suspended under '624a, '624b, MCL 436.1703(1)</p> <p>(r) person convicted of violation of MCL 257.602a(4) or (5) or MCL 750.479a(4) or (5)</p> <p>(2) SOS shall revoke for:</p> <p>(a) any combination of 2 w/i 7 years of reckless or '653a(3)</p> <p>(b) 2 felony convictions with vehicle w/I 7 years</p> <p>(c) any combination of 2 w/I 7 years for any of the following or a combination of 1 conviction for a violation of '625(6) and 1 conviction for any of the following w/I 7 years:</p> <p>(i) '625(1), (3), (4), (5), or (7), '904 (4) or (5), or '653a(4)</p> <p>(ii) former '625(1) or (2) or former '625b</p> <p>(iii) '625m</p> <p>(iv) Neg Hom, Mansl, Murder with vehicle</p> <p>(d) one conviction '625(4) or (5), '904 (4) or (5), or '653a(4)</p> <p>(e) one conviction Neg Hom, Mansl, or Murder with Vehicle</p> <p>(f) any combination of 3 w/I 10 years for any of the following or a combination of 1 conviction for a violation of '625(6) and 2 convictions for any of the following w/I 10 years:</p> <p>(i) '625(1), (3), (4), or (5) or (7), '904 (4) or (5), or '653a(4)</p> <p>(ii) former '625(1) or (2) or former 625b</p> <p>(iii) '625m</p> <p>(iv) Neg Hom, Mansl, Murder with vehicle</p> <p>(g) person convicted of violation of MCL 257.602a(4) or (5) or MCL 750.479a(4) or (5)</p> <p>(3) Do this notwithstanding a court order</p> <p>(4) SOS shall not issue to person denied/revoked under '303(1)(d), (e), (f), (I), (j), or (r) until both:</p> <p>(a) the later of the following:</p> <p>(i) minimum 1 year;</p> <p>(ii) minimum 5 years for 2nd revocation w/I 7 years of prior</p> <p>(b) person rebuts by clear and convincing evidence</p> <p>(c) meets requirements of the Department</p> <p>(5) Same incident language</p> <p>(6) Definition of "Felony Auto Used"</p>	<p>(1) SOS shall suspend for Michigan, out of state, or local ordinance conviction</p> <p>(2) SOS shall suspend for 1 year for:</p> <p>(a) alter/forging vehicle document-- '257</p> <p>(b) UDAA-- MCL 750.413</p> <p>(c) felonious driving-- MCL 752.191</p> <p>(d) leaving scene of an accident resulting in death or serious injury -- '617</p> <p>(e) felony in which a motor vehicle was used</p> <p>(f) Fleeing and Eluding -- MCL 257.602a(2) or (3) or MCL 750.479a(2) or (3)</p> <p>(3) SOS shall suspend for 90 days for any of the following crimes :</p> <p>(a) leaving scene of accident resulting in serious injury -- '617a</p> <p>(b) reckless driving-- '626 or emergency responder injury -- '653a(3)</p> <p>(c) malicious destruction-- '382(1)(b),(c),or (d)</p> <p>(d) under 21 fraudulent use of ID--MCL436.1703(2)</p> <p>(4) SOS shall suspend for 30 days for malicious destruction under MCL 750.382(1)(a)</p> <p>(5) For perjury to SOS, suspend as follows:</p> <p>(a) no priors w/I 7 years- 90 day suspension</p> <p>(b) 1 or more priors w/I 7 years - 1 year susp.</p> <p>(6) For joy riding-- MCL 750.414, suspend as follows:</p> <p>(a) no priors w/I 7 years- 90 day suspension</p> <p>(b) 1 or more priors w/I 7 years - 1 year susp.</p> <p>(7) For a violation of '624a or 624b or MCL 436.1703(1), suspend as follows:</p> <p>(a) 1 prior in this subsection or '33b(1)- 30 day susp/60 day rest</p> <p>(b) 2 or more priors- 60 day susp/305 day rest</p> <p>(8) For a violation of '625 or 625m, suspend as follows:</p> <p>(a) '625(1)- 30 day susp/150 day rest</p> <p>(b) '625(3)- 90 day restricted; controlled substance-180 day restricted</p> <p>(c) '625(6)- 30 day restricted</p> <p>(d) '625(6) with 1 or more priors- 90 day restricted</p> <p>(e) '625(7)- 90 day susp/90 day rest</p> <p>(f) '625m- 90 day restricted</p> <p>(9) For fraudulent change of address:</p> <p>(a) no priors- 180 day suspension</p> <p>(b) subsequent - revocation</p> <p>(10) For fraudulent change of address- MCL 257.315(4)</p> <p>(a) no priors- 180 day suspension</p> <p>(b) subsequent - revocation</p> <p>(11) Do this notwithstanding court order</p> <p>(12) Same incident language</p> <p>(13) SOS may waive suspension or grant restrictions if served out-of-state</p> <p>(14) SOS shall not issue a restricted license unless it is authorized under this section and the person is eligible</p> <p>(15) No restricted license to transport hazardous material</p> <p>(16) A restricted license permits driving as follows:</p> <p>(a) " MAY DRIVE TO AND FROM RESIDENCE AND PLACE OF EMPLOYMENT AND IN THE COURSE OF EMPLOYMENT, TO ABUSE TREATMENT PROGRAM AND/OR SUPPORT GROUP MEETINGS, TO REGULARLY SCHEDULED TREATMENT FOR SERIOUS MEDICAL CONDITION FOR THE DRIVER, A MEMBER OF THE PERSON'S HOUSEHOLD OR IMMEDIATE FAMILY, TO COURT PROBATION OFFICE AND COMMUNITY SERVICE AND EDUCATIONAL INSTITUTION, MUST CARRY PROOF OF DESTINATIONS AND HOURS"</p> <p>(17) Person shall carry proof of destination and hours and display upon request</p> <p>(18) Definition of "prior"</p> <p>(19) Only 1 violation of '625(6) may be used as a prior conviction</p> <p>(20) Same incident language</p>

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Probationary Drivers ' 310d	Driver Improvement ' 320	Illegal Use of License ' 324
1st conviction = correspondence letter 2nd conviction= self-study re-exam 3rd conviction = warning letter 4th conviction = diagnostic re-exam 5 th conviction= probationary re-exam 3-year program of which the last 10 months must be violation-free or the probationary period is extended until 10 months are completed	(1) One of the below and (2) (a) incompetent (infirmity/disability) (b) one fatal accident (c) 3 hazardous crashes (d) 12 points/2 years (e) violated restrictions, terms, or conditions (2) Good cause	Unlawful use of license 1st = 90 days 2nd within 7 years = 1 year
Implied Consent ' 625f	Mandatory Additional ' 904	Drug Law ' 319e
1st IC suspension = 6 months 2 nd IC suspension within 7 years = 1 year	(10) Upon receiving record of a persons conviction for unlawful operation of a motor vehicle while license is susp/rev, impose an additional like period of susp/rev (11) Upon receiving record of a person's conviction for unlawful operation of a motor vehicle while license is indefinitely suspended or whose application for a license has been denied, impose a 30-day period of susp/den (12) Upon receiving record of conviction for unlawful operation of a commercial motor vehicle while designation is suspended pursuant to ' 319a or 319b, or revoked, impose an additional like period of susp/rev	(1) Suspend for conviction, attempt, conspiracy or violation of part 74 or ' 17766a of Health Code per court order (2) Suspend for out-of-state conviction or federal drug act violation for: (a) 6 months if no priors (b) 1 year if 1 prior within 7 years (3) SOS may waive or grant restrictions if served 1 year imprisonment or licensing action (4) Not applicable if sentenced to life imprisonment or over 1 year
Commercial Driver License (CDL) ' 312f, 319a, 319b		
' 319a SOS shall suspend a CDL as required in ' 319b. (1) ' 319b(1) Suspend or revoke a CDL for convictions or IC refusal for: (a) 60 days susp for 2 serious traffic violations while in CMV from separate incidents within 36 months (b) 120 days for 3 serious traffic violations in CMV from separate incidents within 36 months (c) 1 year if convicted of: (i) Viol of ' 625(1), (3), (4), (5), (6), or (7), ' 625m in CMV (ii) Leaving scene of accident in CMV (iii) Felony in which CMV was used (iv) IC refusal in CMV (v) 6-point violation in CMV (d) Suspend 3-years if (c)(I)-(v) in CMV with hazardous material (e) Revoke for 10 years until approved if convicted of: (i) Any combination of 2 viols in ' 625(1), (3), (4), (5), (6) or (7), ' 625m in CMV (ii) 2 viols of leaving scene of accident in CMV (iii) 2 viols of felony with CMV (iv) 2 IC's in CMV (v) 2- 6 point violations in CMV (vi) 2 viols of (I),(ii),(iii), (iv), or (v) arising from separate incidents	(f) Revoke for life if convicted of: (i) 1 viol of felony in CMV with drug mfg/distribution (ii) Conviction of any offense in (c) or (d) after having been approved for an issuance under (e) (2) Suspend CDL for a violation of ' 319d(4) or ' 319f out of service or disqualified (3) Definition of "felony", "serious traffic violation" (4) Bond forfeiture is considered a conviction (5) Do this "notwithstanding" other action or court order (6) Only consider violations after 1/1/90	' 312f APPLICATION DENIALS - CDL (4) SOS shall not issue CDL to: (a) Person suspended, revoked, other than for ' 321a, within 36 months preceding application unless medical or failure to appear at re-exam (b) Applicant convicted of 6-point viol in 24 months preceding application or ' 625(3) in CDL (c) Applicant on NDR or CIDLIS as disqualified or as suspended, revoked, canceled, or denied (d) Applicant on NDR or CIDLIS as disqualified or as suspended, revoked, canceled, or denied within 36 months of application if licensed in Michigan (e) Applicant would have been denied for ' 319b (f) Disqualified under Title XII or CDL suspended, revoked, denied or canceled within 36 months of application